

By: Lozano

H.B. No. 4243

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the terminology used to describe
3 transportation-related accidents.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 66.017, Transportation Code, is amended
6 to read as follows:

7 Sec. 66.017. DUTIES. The board shall:

8 (1) establish the number of pilots necessary to
9 provide adequate pilot services for each Harris County port;

10 (2) accept applications for pilot licenses and
11 certificates and determine whether each applicant meets the
12 qualifications for a pilot;

13 (3) submit to the governor lists of applicants the
14 board finds to be qualified for appointment as pilots;

15 (4) establish pilotage rates;

16 (5) approve the locations for pilot stations;

17 (6) establish times during which pilot services will
18 be available;

19 (7) hear and determine complaints relating to the
20 conduct of pilots;

21 (8) recommend to the governor each pilot whose license
22 or certificate should not be renewed or should be revoked;

23 (9) adopt rules and issue orders to pilots or vessels
24 when necessary to secure efficient pilot services;

1 (10) institute investigations or hearings or both to
2 consider casualties, crashes [~~accidents~~], or other actions that
3 violate this chapter; and

4 (11) provide penalties to be imposed on a person who is
5 not a pilot for a Harris County port who pilots a vessel into or out
6 of the port if a pilot offered those services to the vessel.

7 SECTION 2. Section 67.017, Transportation Code, is amended
8 to read as follows:

9 Sec. 67.017. DUTIES. The board shall:

10 (1) recommend to the governor the number of pilots
11 necessary to provide adequate pilot services for each Galveston
12 County port;

13 (2) accept applications for pilot licenses and
14 certificates and determine whether each applicant meets the
15 qualifications for a pilot;

16 (3) provide names of all qualified applicants for
17 certificates to each pilot association office of Galveston County;

18 (4) submit to the governor the names of persons who
19 have qualified under this chapter to be appointed as branch pilots;

20 (5) establish pilotage rates;

21 (6) approve any changes of the locations for pilot
22 stations;

23 (7) establish times during which pilot services will
24 be available;

25 (8) hear and determine complaints relating to the
26 conduct of pilots;

27 (9) make recommendations to the governor concerning

1 any pilot whose license or certificate should not be renewed or
2 should be revoked;

3 (10) adopt rules and issue orders to pilots and
4 vessels when necessary to secure efficient pilot services;

5 (11) institute investigations or hearings or both to
6 consider casualties, crashes [~~accidents~~], or other actions that
7 violate this chapter;

8 (12) provide penalties to be imposed on a person who is
9 not a pilot for a Galveston County port and who pilots a vessel into
10 or out of the port; and

11 (13) approve a training program for deputy branch
12 pilots.

13 SECTION 3. Section 68.017, Transportation Code, is amended
14 to read as follows:

15 Sec. 68.017. DUTIES. The board shall:

16 (1) recommend to the governor the number of pilots
17 necessary to provide adequate pilot services for each Brazoria
18 County port;

19 (2) accept applications for pilot licenses and
20 certificates and determine whether each applicant meets the
21 qualifications for a pilot;

22 (3) provide the names of all qualified applicants for
23 certificates to the Brazos Pilots Association;

24 (4) submit to the governor the names of persons who
25 have qualified under this chapter to be commissioned as branch
26 pilots;

27 (5) establish pilotage rates;

- 1 (6) approve the locations for pilot stations;
- 2 (7) establish times during which pilot services will
3 be available;
- 4 (8) hear and determine complaints relating to the
5 conduct of pilots;
- 6 (9) recommend to the governor each pilot whose license
7 or certificate should not be renewed or should be revoked;
- 8 (10) adopt rules and issue orders to pilots or vessels
9 when necessary to secure efficient pilot services;
- 10 (11) institute investigations or hearings or both to
11 consider casualties, crashes [~~accidents~~], or other actions that
12 violate this chapter;
- 13 (12) provide penalties to be imposed on a person who is
14 not a pilot for a Brazoria County port who pilots a vessel into or
15 out of the port; and
- 16 (13) approve a training program for deputy branch
17 pilots.

18 SECTION 4. Sections 69.017(a) and (c), Transportation Code,
19 are amended to read as follows:

20 (a) The board shall:

21 (1) establish the number of pilots necessary to
22 provide adequate pilot services for each Jefferson or Orange County
23 port;

24 (2) establish pilotage rates;

25 (3) hear and determine complaints relating to the
26 conduct of pilots;

27 (4) make recommendations to the governor concerning

1 any pilot whose license or certificate should not be renewed or
2 should be revoked;

3 (5) adopt rules and issue orders to pilots and vessels
4 when necessary to secure efficient pilot services;

5 (6) institute investigations or hearings or both to
6 consider casualties, crashes [~~accidents~~], or other actions that
7 violate this chapter;

8 (7) provide penalties to be imposed on a person who is
9 not a pilot for a Jefferson or Orange County port and who pilots a
10 vessel into or out of the port if the person offered pilot services
11 to the vessel;

12 (8) establish times during which pilot services will
13 be available;

14 (9) accept applications for pilot licenses and
15 certificates and determine whether each applicant meets the
16 qualifications for a pilot;

17 (10) submit to the governor the names of persons who
18 have qualified under this chapter to be appointed as branch pilots;
19 and

20 (11) approve any changes of the locations of pilot
21 stations.

22 (c) The board may assess against the users of pilot
23 services:

24 (1) the actual costs the board considers fair and just
25 incurred in connection with hearings against any applicant or
26 objecting party; and

27 (2) other expenses that are necessary and proper to

1 enable the board to effectively carry out the purposes and
2 requirements of this chapter, including processing of applications
3 for pilot licenses and certificates, establishing pilotage,
4 determining and approving the locations for pilot stations,
5 establishing times during which pilot services will be available,
6 hearing and ruling on complaints relating to the conduct of pilots,
7 adopting rules and issuing orders to pilots or vessels when
8 necessary to secure efficient pilot services, instituting
9 investigations or hearings to consider casualties, crashes
10 [~~accidents~~], or other actions that violate this chapter, making of
11 any provision for proper, safe, and efficient pilotage, and funding
12 general administrative expenses associated with the operation of
13 the board.

14 SECTION 5. Section 70.017, Transportation Code, is amended
15 to read as follows:

16 Sec. 70.017. DUTIES. The board shall:

17 (1) recommend to the governor the number of pilots
18 necessary to provide adequate pilot services for the Port of Corpus
19 Christi;

20 (2) examine and determine the qualifications of each
21 applicant for branch pilot;

22 (3) submit to the governor the names of persons who
23 have qualified under this chapter to be appointed as branch pilots;

24 (4) establish pilotage rates;

25 (5) approve any changes of the locations of pilot
26 stations;

27 (6) establish times during which pilot services will

1 be available;

2 (7) hear and determine complaints relating to the
3 conduct of pilots;

4 (8) make recommendations to the governor concerning
5 any pilot whose license or certificate should not be renewed or
6 should be revoked;

7 (9) adopt rules and issue orders to pilots and vessels
8 when necessary to secure efficient pilot services; and

9 (10) institute investigations or hearings or both to
10 consider casualties, crashes [~~accidents~~], or other actions that
11 violate this chapter.

12 SECTION 6. Sections [112.103](#)(b) and (c), Transportation
13 Code, are amended to read as follows:

14 (b) An operator who is involved, while operating a
15 locomotive, in a crash [~~an accident~~] resulting in injury to or death
16 of a person or damage to a vehicle that is driven or attended by a
17 person shall immediately stop the locomotive at the scene of the
18 crash [~~accident~~].

19 (c) The operator shall render to a person injured in the
20 crash [~~accident~~] reasonable assistance, including transporting, or
21 the making of arrangements for transporting, the person to a
22 physician, surgeon, or hospital for medical or surgical treatment
23 if it is apparent that treatment is necessary or if the injured
24 person requests transportation.

25 SECTION 7. Section [192.005](#), Transportation Code, is amended
26 to read as follows:

27 Sec. 192.005. RECORD OF CRASH [~~ACCIDENT~~] OR VIOLATION. If

1 a person operating a railroad locomotive or train is involved in a
2 crash [~~an accident~~] with another train or a motor vehicle or is
3 arrested for violation of a law relating to the person's operation
4 of a railroad locomotive or train:

5 (1) the number of or other identifying information on
6 the person's driver's license or commercial driver's license may not
7 be included in any report of the crash [~~accident~~] or violation; and

8 (2) the person's involvement in the crash [~~accident~~]
9 or violation may not be recorded in the person's individual driving
10 record maintained by the Department of Public Safety.

11 SECTION 8. Section [201.806](#), Transportation Code, is amended
12 to read as follows:

13 Sec. 201.806. CRASH [~~ACCIDENT~~] REPORTS. (a) The
14 department shall:

15 (1) tabulate and analyze the vehicle crash [~~accident~~]
16 reports it receives; and

17 (2) annually or more frequently publish on the
18 department's Internet website statistical information derived from
19 the crash [~~accident~~] reports as to the number, cause, and location
20 of highway crashes [~~accidents~~], including information regarding
21 the number of:

22 (A) crashes [~~accidents~~] involving injury to,
23 death of, or property damage to a bicyclist or pedestrian; and

24 (B) fatalities caused by a bridge collapse, as
25 defined by Section [550.081](#).

26 (b) The department shall provide electronic access to the
27 system containing the crash [~~accident~~] reports so that the

1 Department of Public Safety can perform its duties, including the
2 duty to make timely entries on driver records.

3 SECTION 9. Sections 201.909(a), (b), and (c),
4 Transportation Code, are amended to read as follows:

5 (a) In this section, "victim" means a person killed in a
6 highway crash [~~accident~~] involving alcohol or a controlled
7 substance, excluding an operator who was under the influence of
8 alcohol or a controlled substance.

9 (b) The commission by rule shall establish and administer a
10 memorial sign program to publicly memorialize the victims of
11 alcohol or controlled substance-related vehicle crashes
12 [~~accidents~~].

13 (c) A sign designed and posted under this section shall
14 include:

- 15 (1) the phrase "Please Don't Drink and Drive";
16 (2) the phrase "In Memory Of" and the name of one or
17 more victims in accordance with the commission rule; and
18 (3) the date of the crash [~~accident~~] that resulted in
19 the victim's death.

20 SECTION 10. Sections 201.911(a), (b), and (c),
21 Transportation Code, are amended to read as follows:

22 (a) In this section, "victim" means a person killed in a
23 highway crash [~~accident~~] while operating or riding on a motorcycle.

24 (b) The commission by rule shall establish and administer a
25 memorial sign program to publicly memorialize the victims of
26 motorcycle crashes [~~accidents~~].

27 (c) A sign designed and posted under this section shall

1 include:

2 (1) a red cross;

3 (2) the phrase "In Memory Of" and the name of one or
4 more victims in accordance with the commission rule; and

5 (3) the date of the crash [~~accident~~] that resulted in
6 the victim's death.

7 SECTION 11. Section 222.003(d), Transportation Code, is
8 amended to read as follows:

9 (d) Of the aggregate principal amount of bonds and other
10 public securities that may be issued under this section, the
11 commission shall issue bonds or other public securities in an
12 aggregate principal amount of \$1.2 billion to fund projects that
13 reduce crashes [~~accidents~~] or correct or improve hazardous
14 locations on the state highway system. The commission by rule
15 shall prescribe criteria for selecting projects eligible for
16 funding under this section. In establishing criteria for the
17 projects, the commission shall consider crash [~~accident~~] data,
18 traffic volume, pavement geometry, and other conditions that can
19 create or exacerbate hazardous roadway conditions.

20 SECTION 12. Section 521.025(c), Transportation Code, is
21 amended to read as follows:

22 (c) A person who violates this section commits an
23 offense. An offense under this subsection is a misdemeanor
24 punishable by a fine not to exceed \$200, except that:

25 (1) for a second conviction within one year after the
26 date of the first conviction, the offense is a misdemeanor
27 punishable by a fine of not less than \$25 or more than \$200;

1 (2) for a third or subsequent conviction within one
2 year after the date of the second conviction the offense is a
3 misdemeanor punishable by:

4 (A) a fine of not less than \$25 or more than \$500;

5 (B) confinement in the county jail for not less
6 than 72 hours or more than six months; or

7 (C) both the fine and confinement; and

8 (3) if it is shown on the trial of the offense that at
9 the time of the offense the person was operating the motor vehicle
10 in violation of Section 601.191 and caused or was at fault in a
11 motor vehicle crash [~~accident~~] that resulted in serious bodily
12 injury to or the death of another person, an offense under this
13 section is a Class A misdemeanor.

14 SECTION 13. Section 521.042, Transportation Code, is
15 amended to read as follows:

16 Sec. 521.042. CRASH [~~ACCIDENT~~] AND CONVICTION REPORTS;
17 INDIVIDUAL RECORDS. (a) Except as provided by this section, the
18 department shall record each crash [~~accident~~] report and abstract
19 of the court record of a conviction received by the department under
20 a law of this state.

21 (b) The records must enable the department to consider, on
22 receipt of a renewal application and at other suitable times, the
23 record of each license holder that shows any:

24 (1) conviction of that license holder; and

25 (2) traffic crash [~~accident~~] in which the license
26 holder has been involved.

27 (c) The record of a license holder who is employed as a peace

1 officer, fire fighter, or emergency medical services employee of
2 this state, a political subdivision of this state, or a special
3 purpose district may not include information relating to a traffic
4 crash [~~accident~~] that occurs while the peace officer, fire fighter,
5 or emergency medical services employee is driving an official
6 vehicle in the course and scope of the license holder's official
7 duties if:

8 (1) the traffic crash [~~accident~~] resulted in damages
9 to property of less than \$1,000; or

10 (2) an investigation of the crash [~~accident~~] by a
11 peace officer, other than a peace officer involved in the crash
12 [~~accident~~], determines that the peace officer, fire fighter, or
13 emergency medical services employee involved in the crash
14 [~~accident~~] was not at fault.

15 (d) Before issuing or renewing a license, the department
16 shall examine the record of the applicant for information relating
17 to a conviction of a traffic violation or involvement in a traffic
18 crash [~~accident~~]. The department may not issue or renew a license
19 if the department determines that the issuance or renewal of the
20 license would be inimical to the public safety.

21 (e) The director may maintain records required under this
22 subchapter on microfilm or computer.

23 SECTION 14. The heading to Section 521.046, Transportation
24 Code, is amended to read as follows:

25 Sec. 521.046. DISCLOSURE OF CRASH [~~ACCIDENT~~] AND CONVICTION
26 INFORMATION.

27 SECTION 15. Section 521.046(a), Transportation Code, is

1 amended to read as follows:

2 (a) In addition to the information authorized to be released
3 under Section 521.045, on receipt of a written request and payment
4 of a \$6 fee, the department may disclose that information and
5 information regarding each reported motor vehicle moving
6 violation, as defined by department rule, resulting in a traffic
7 law conviction and each motor vehicle crash [~~accident~~] in which the
8 individual received a citation, by date and location, within the
9 three years preceding the date of the request, to a person who:

10 (1) is eligible to receive the information under
11 Chapter 730; and

12 (2) submits to the department the individual's
13 driver's license number or the individual's full name and date of
14 birth.

15 SECTION 16. Section 521.047(b), Transportation Code, is
16 amended to read as follows:

17 (b) The department may disclose information as recorded in
18 department records that relates to:

19 (1) the individual's date of birth;

20 (2) the current license status of the individual;

21 (3) the individual's most recent address;

22 (4) the completion of an approved driver education
23 course by the individual;

24 (5) the fact of, but not the reason for, completion of
25 a driver safety course by the individual; and

26 (6) each of the individual's reported traffic law
27 violations and motor vehicle crashes [~~accidents~~], by date and

1 location.

2 SECTION 17. Section 521.049(e), Transportation Code, is
3 amended to read as follows:

4 (e) A driver's license record or personal identification
5 certificate record provided under Subsection (d)(1) may not include
6 information relating to an individual's social security number or
7 any crash [~~accident~~] or conviction information about an individual.

8 SECTION 18. Section 521.060(a), Transportation Code, is
9 amended to read as follows:

10 (a) The department shall maintain in its files a record of
11 the name, address, and telephone number of each individual
12 identified by the holder of a driver's license or personal
13 identification certificate as an individual the holder authorizes
14 to be contacted in the event that the holder is injured or dies in or
15 as a result of a vehicular crash [~~accident~~] or another emergency
16 situation. In addition, the department shall maintain in its files
17 a record of any medical information described by Section 521.125(a)
18 that is provided to the department under Subsection (c) or any
19 health condition information that is voluntarily provided to the
20 department under Section 521.142(h).

21 SECTION 19. Section 521.292(a), Transportation Code, is
22 amended to read as follows:

23 (a) The department shall suspend the person's license if the
24 department determines that the person:

25 (1) has operated a motor vehicle on a highway while the
26 person's license was suspended, canceled, disqualified, or
27 revoked, or without a license after an application for a license was

1 denied;

2 (2) is a habitually reckless or negligent operator of
3 a motor vehicle;

4 (3) is a habitual violator of the traffic laws;

5 (4) has permitted the unlawful or fraudulent use of
6 the person's license;

7 (5) has committed an offense in another state or
8 Canadian province that, if committed in this state, would be
9 grounds for suspension;

10 (6) has been convicted of two or more separate
11 offenses of a violation of a restriction imposed on the use of the
12 license;

13 (7) has been responsible as a driver for any crash
14 [~~accident~~] resulting in serious personal injury or serious property
15 damage;

16 (8) is under 18 years of age and has been convicted of
17 two or more moving violations committed within a 12-month period;
18 or

19 (9) has committed an offense under Section [545.421](#).

20 SECTION 20. Section [521.457](#)(f-2), Transportation Code, is
21 amended to read as follows:

22 (f-2) An offense under this section is a Class A misdemeanor
23 if it is shown on the trial of the offense that at the time of the
24 offense the person was operating the motor vehicle in violation of
25 Section [601.191](#) and caused or was at fault in a motor vehicle crash
26 [~~accident~~] that resulted in serious bodily injury to or the death of
27 another person.

1 SECTION 21. Section 522.003(25), Transportation Code, is
2 amended to read as follows:

3 (25) "Serious traffic violation" means:

4 (A) a conviction arising from the driving of a
5 motor vehicle, other than a parking, vehicle weight, or vehicle
6 defect violation, for:

7 (i) excessive speeding, involving a single
8 charge of driving 15 miles per hour or more above the posted speed
9 limit;

10 (ii) reckless driving, as defined by state
11 or local law;

12 (iii) a violation of a state or local law
13 related to motor vehicle traffic control, including a law
14 regulating the operation of vehicles on highways, arising in
15 connection with a fatal crash [~~accident~~];

16 (iv) improper or erratic traffic lane
17 change;

18 (v) following the vehicle ahead too
19 closely; or

20 (vi) a violation of Sections 522.011 or
21 522.042; or

22 (B) a violation of Section 522.015.

23 SECTION 22. Section 522.081(b), Transportation Code, is
24 amended to read as follows:

25 (b) Except as provided by this subsection, this subsection
26 applies to a violation committed while operating any type of motor
27 vehicle, including a commercial motor vehicle. A person who holds

1 a commercial driver's license or commercial learner's permit is
2 disqualified from driving a commercial motor vehicle for one year:

3 (1) if convicted of three violations of a law that
4 regulates the operation of a motor vehicle at a railroad grade
5 crossing that occur within a three-year period;

6 (2) on first conviction of:

7 (A) driving a motor vehicle under the influence
8 of alcohol or a controlled substance, including a violation of
9 Section 49.04, 49.045, or 49.07, Penal Code;

10 (B) leaving the scene of a crash [~~an accident~~]
11 involving a motor vehicle driven by the person;

12 (C) using a motor vehicle in the commission of a
13 felony, other than a felony described by Subsection (d)(2);

14 (D) causing the death of another person through
15 the negligent or criminal operation of a motor vehicle; or

16 (E) driving a commercial motor vehicle while the
17 person's commercial driver's license or commercial learner's permit
18 is revoked, suspended, or canceled, or while the person is
19 disqualified from driving a commercial motor vehicle, for an action
20 or conduct that occurred while operating a commercial motor
21 vehicle;

22 (3) for refusing to submit to a test under Chapter 724
23 to determine the person's alcohol concentration or the presence in
24 the person's body of a controlled substance or drug while operating
25 a motor vehicle in a public place; or

26 (4) if an analysis of the person's blood, breath, or
27 urine under Chapter 522, 524, or 724 determines that the person:

1 (A) had an alcohol concentration of 0.04 or more,
2 or that a controlled substance or drug was present in the person's
3 body, while operating a commercial motor vehicle in a public place;
4 or

5 (B) had an alcohol concentration of 0.08 or more
6 while operating a motor vehicle, other than a commercial motor
7 vehicle, in a public place.

8 SECTION 23. Section 523.005(a), Transportation Code, is
9 amended to read as follows:

10 (a) The licensing authority in the home state, for the
11 purpose of suspension, revocation, cancellation, denial,
12 disqualification, or limitation of the privilege to operate a motor
13 vehicle, shall give the same effect to the conduct reported
14 pursuant to Section 523.004 as it would if such conduct had occurred
15 in the home state in the case of conviction for:

16 (1) manslaughter or negligent homicide resulting from
17 the operation of a motor vehicle;

18 (2) driving a motor vehicle while under the influence
19 of alcoholic beverages or a narcotic to a degree which renders the
20 driver incapable of safely driving a motor vehicle;

21 (3) any felony in the commission of which a motor
22 vehicle is used; or

23 (4) failure to stop and render aid or information in
24 the event of a motor vehicle crash [~~accident~~] resulting in the death
25 or personal injury of another.

26 SECTION 24. Section 542.206, Transportation Code, is
27 amended to read as follows:

1 Sec. 542.206. EFFECT OF SPEED LIMITS IN A CIVIL ACTION. A
2 provision of this subtitle declaring a maximum or minimum speed
3 limit does not relieve the plaintiff in a civil action from the
4 burden of proving negligence of the defendant as the proximate
5 cause of a crash [~~an accident~~].

6 SECTION 25. Section 542.4045, Transportation Code, is
7 amended to read as follows:

8 Sec. 542.4045. PENALTIES FOR FAILURE TO YIELD RIGHT-OF-WAY
9 OFFENSE RESULTING IN CRASH [~~ACCIDENT~~]. If it is shown on the trial
10 of an offense under this subtitle in which an element is the failure
11 by the operator of a vehicle to yield the right-of-way to another
12 vehicle that a crash [~~an accident~~] resulted from the operator's
13 failure to yield the right-of-way:

14 (1) the offense is punishable by a fine of not less
15 than \$500 or more than \$2,000, if a person other than the operator
16 of the vehicle suffered bodily injury, as defined by Section 1.07,
17 Penal Code, in the crash [~~accident~~]; and

18 (2) the offense is punishable by a fine of not less
19 than \$1,000 or more than \$4,000, if a person other than the operator
20 of the vehicle suffered serious bodily injury, as defined by
21 Section 1.07, Penal Code, in the crash [~~accident~~].

22 SECTION 26. Section 543.002(a), Transportation Code, is
23 amended to read as follows:

24 (a) A person arrested for a violation of this subtitle
25 punishable as a misdemeanor shall be immediately taken before a
26 magistrate if:

27 (1) the person is arrested on a charge of failure to

1 stop in the event of a crash [~~an accident~~] causing damage to
2 property; or

3 (2) the person demands an immediate appearance before
4 a magistrate or refuses to make a written promise to appear in court
5 as provided by this subchapter.

6 SECTION 27. Section 543.011(c), Transportation Code, is
7 amended to read as follows:

8 (c) The law enforcement agency shall:

9 (1) as soon as practicable contact the United States
10 Department of State to verify the person's status and immunity, if
11 any; and

12 (2) not later than the fifth working day after the date
13 of the stop or issuance of the notice to appear, send to the Bureau
14 of Diplomatic Security Office of Foreign Missions of the United
15 States Department of State the following:

16 (A) a copy of any notice to appear issued to the
17 person and any crash [~~accident~~] report prepared; or

18 (B) if a notice to appear was not issued and a
19 crash [~~an accident~~] report was not prepared, a written report of the
20 incident.

21 SECTION 28. Section 545.356(d), Transportation Code, is
22 amended to read as follows:

23 (d) The governing body of a municipality that declares a
24 lower speed limit on a highway or part of a highway under Subsection
25 (b-1) or (b-3), not later than February 1 of each year, shall
26 publish on its Internet website and submit to the department a
27 report that compares for each of the two previous calendar years:

1 (1) the number of traffic citations issued by peace
2 officers of the municipality and the alleged speed of the vehicles,
3 for speed limit violations on the highway or part of the highway;

4 (2) the number of warning citations issued by peace
5 officers of the municipality on the highway or part of the highway;
6 and

7 (3) the number of vehicular crashes [~~accidents~~] that
8 resulted in injury or death and were attributable to speed limit
9 violations on the highway or part of the highway.

10 SECTION 29. Section 545.3561, Transportation Code, is
11 amended to read as follows:

12 Sec. 545.3561. AUTHORITY OF MUNICIPALITY OR COUNTY TO
13 TEMPORARILY LOWER SPEED LIMIT AT VEHICULAR CRASH [~~ACCIDENT~~]
14 RECONSTRUCTION SITE. (a) The governing body of a municipality by
15 ordinance may give a designated official with transportation
16 engineering experience establishing speed limits discretion to
17 temporarily lower a prima facie speed limit for a highway or part of
18 a highway in the municipality, including a highway of the state
19 highway system, at the site of an investigation using vehicular
20 crash [~~accident~~] reconstruction.

21 (b) A county commissioners court by order may give a
22 designated official with transportation engineering experience
23 establishing speed limits discretion to temporarily lower prima
24 facie speed limits for a county road or highway outside the
25 boundaries of a municipality at the site of an investigation using
26 vehicular crash [~~accident~~] reconstruction. The authority granted
27 under this subsection does not include a road or highway in the

1 state highway system.

2 (c) The Texas Department of Transportation shall develop
3 safety guidelines for the use of vehicular crash [~~accident~~]
4 reconstruction in investigations. A municipality, county, or
5 designated official shall comply with the guidelines.

6 (d) A designated official may temporarily lower prima facie
7 speed limits without the approval of or permission from the Texas
8 Department of Transportation. A designated official who intends
9 to temporarily lower a prima facie speed limit at the site of an
10 investigation using vehicular crash [~~accident~~] reconstruction
11 shall, at least 48 hours before temporary speed limit signs are
12 posted for the vehicular crash [~~accident~~] reconstruction site,
13 provide to the Texas Department of Transportation notice that
14 includes:

15 (1) the date and time of the crash [~~accident~~]
16 reconstruction;

17 (2) the location of the crash [~~accident~~]
18 reconstruction site;

19 (3) the entities involved at the site;

20 (4) the general size of the area affected by the site;

21 and

22 (5) an estimate of how long the site will be used for
23 the crash [~~accident~~] reconstruction.

24 (e) A temporary speed limit established under this section:

25 (1) is a prima facie prudent and reasonable speed
26 limit enforceable in the same manner as other prima facie speed
27 limits established under other provisions of this subchapter; and

1 (2) supersedes any other established speed limit that
2 would permit a person to operate a motor vehicle at a higher rate of
3 speed.

4 (f) A designated official who temporarily lowers a speed
5 limit shall:

6 (1) place and maintain at the vehicular crash
7 [~~accident~~] reconstruction site temporary speed limit signs that
8 conform to the manual and specifications adopted under Section
9 544.001;

10 (2) temporarily conceal all other signs on the highway
11 segment affected by the vehicular crash [~~accident~~] reconstruction
12 site that give notice of a speed limit that would permit a person to
13 operate a motor vehicle at a higher rate of speed; and

14 (3) remove all temporary speed limit signs placed
15 under Subdivision (1) and concealments of other signs placed under
16 Subdivision (2) when the official finds that the vehicular crash
17 [~~accident~~] reconstruction is complete and all equipment is removed
18 from the vehicular crash [~~accident~~] reconstruction site.

19 (g) A temporary speed limit established under this section
20 is effective when a designated official places temporary speed
21 limit signs and conceals other signs that would permit a person to
22 operate a motor vehicle at a higher rate of speed as required under
23 Subsection (f).

24 (h) A temporary speed limit established under this section
25 is effective until the designated official under Subsection (a) or
26 (b):

27 (1) finds that the vehicular crash [~~accident~~]

1 reconstruction is complete; and

2 (2) removes all temporary signs, concealments, and
3 equipment used at the vehicular crash [~~accident~~] reconstruction
4 site.

5 (i) If a designated official does not comply with the
6 requirements of Subsection (f)(3) for a vehicular crash [~~accident~~]
7 reconstruction on a state highway associated with the
8 reconstruction, the Texas Department of Transportation may remove
9 signs and concealments.

10 SECTION 30. Section 545.4121(b), Transportation Code, is
11 amended to read as follows:

12 (b) It is a defense to prosecution of an offense to which
13 this section applies that the defendant provides to the court
14 evidence satisfactory to the court that:

15 (1) at the time of the offense:

16 (A) the defendant was not arrested or issued a
17 citation for violation of any other offense;

18 (B) the defendant did not possess a child
19 passenger safety seat system in the vehicle; and

20 (C) the vehicle the defendant was operating was
21 not involved in a crash [~~an accident~~]; and

22 (2) subsequent to the time of the offense,
23 the defendant obtained an appropriate child passenger safety seat
24 system for each child required to be secured in a child passenger
25 safety seat system under Section 545.412(a).

26 SECTION 31. Section 545.420(i), Transportation Code, is
27 amended to read as follows:

1 (i) This subsection applies only to a motor vehicle used in
2 the commission of an offense under this section that results in a
3 crash [~~an accident~~] with property damage or personal injury. A
4 peace officer shall require the vehicle to be taken to the nearest
5 licensed vehicle storage facility unless the vehicle is seized as
6 evidence, in which case the vehicle may be taken to a storage
7 facility as designated by the peace officer
8 involved. Notwithstanding Article 18.23, Code of Criminal
9 Procedure, the owner of a motor vehicle that is removed or stored
10 under this subsection is liable for all removal and storage fees
11 incurred and is not entitled to take possession of the vehicle until
12 those fees are paid.

13 SECTION 32. Section 545.455, Transportation Code, is
14 amended to read as follows:

15 Sec. 545.455. DUTIES FOLLOWING CRASH [~~ACCIDENT~~] INVOLVING
16 AUTOMATED MOTOR VEHICLE. In the event of a crash [~~an accident~~]
17 involving an automated motor vehicle, the automated motor vehicle
18 or any human operator of the automated motor vehicle shall comply
19 with Chapter 550.

20 SECTION 33. Section 547.305(d), Transportation Code, is
21 amended to read as follows:

22 (d) A vehicle may be equipped with alternately flashing
23 lighting equipment described by Section 547.701 or 547.702 only if
24 the vehicle is:

- 25 (1) a school bus;
- 26 (2) an authorized emergency vehicle;
- 27 (3) a church bus that has the words "church bus"

1 printed on the front and rear of the bus so as to be clearly
2 discernable to other vehicle operators;

3 (4) a tow truck while under the direction of a law
4 enforcement officer at the scene of a crash [~~an accident~~] or while
5 hooking up to a disabled vehicle on a roadway; or

6 (5) a tow truck with a mounted light bar which has turn
7 signals and stop lamps in addition to those required by Sections
8 547.322, 547.323, and 547.324, Transportation Code.

9 SECTION 34. Section 547.615(a)(2), Transportation Code, is
10 amended to read as follows:

11 (2) "Recording device" means a feature that is
12 installed by the manufacturer in a motor vehicle and that does any
13 of the following for the purpose of retrieving information from the
14 vehicle after a crash [~~an accident~~] in which the vehicle has been
15 involved:

16 (A) records the speed and direction the vehicle
17 is traveling;

18 (B) records vehicle location data;

19 (C) records steering performance;

20 (D) records brake performance, including
21 information on whether brakes were applied before a crash [~~an~~
22 ~~accident~~];

23 (E) records the driver's safety belt status; or

24 (F) transmits information concerning the crash
25 [~~accident~~] to a central communications system when the crash
26 [~~accident~~] occurs.

27 SECTION 35. Section 547.615(c), Transportation Code, is

1 amended to read as follows:

2 (c) Information recorded or transmitted by a recording
3 device may not be retrieved by a person other than the owner of the
4 motor vehicle in which the recording device is installed except:

5 (1) on court order;

6 (2) with the consent of the owner for any purpose,
7 including for the purpose of diagnosing, servicing, or repairing
8 the motor vehicle;

9 (3) for the purpose of improving motor vehicle safety,
10 including for medical research on the human body's reaction to
11 motor vehicle crashes [~~accidents~~], if the identity of the owner or
12 driver of the vehicle is not disclosed in connection with the
13 retrieved information; or

14 (4) for the purpose of determining the need for or
15 facilitating emergency medical response in the event of a motor
16 vehicle crash [~~accident~~].

17 SECTION 36. Section 548.053(b), Transportation Code, is
18 amended to read as follows:

19 (b) A vehicle that is inspected and is subsequently involved
20 in a crash or other incident [~~an accident~~] affecting the safe
21 operation of an item of inspection must be reinspected following
22 repair. The reinspection must be at an inspection station and shall
23 be treated and charged as an initial inspection.

24 SECTION 37. The heading to Chapter 550, Transportation
25 Code, is amended to read as follows:

26 CHAPTER 550. CRASHES [~~ACCIDENTS~~] AND CRASH [~~ACCIDENT~~] REPORTS

27 SECTION 38. The heading to Subchapter B, Chapter 550,

1 Transportation Code, is amended to read as follows:

2 SUBCHAPTER B. DUTIES FOLLOWING CRASH [~~ACCIDENT~~]

3 SECTION 39. Section 550.021, Transportation Code, is
4 amended to read as follows:

5 Sec. 550.021. CRASH [~~ACCIDENT~~] INVOLVING PERSONAL INJURY OR
6 DEATH. (a) The operator of a vehicle involved in a crash [~~an~~
7 ~~accident~~] that results or is reasonably likely to result in injury
8 to or death of a person shall:

9 (1) immediately stop the vehicle at the scene of the
10 crash [~~accident~~] or as close to the scene as possible;

11 (2) immediately return to the scene of the crash
12 [~~accident~~] if the vehicle is not stopped at the scene of the crash
13 [~~accident~~];

14 (3) immediately determine whether a person is involved
15 in the crash [~~accident~~], and if a person is involved in the crash
16 [~~accident~~], whether that person requires aid; and

17 (4) remain at the scene of the crash [~~accident~~] until
18 the operator complies with the requirements of Section 550.023.

19 (b) An operator of a vehicle required to stop the vehicle by
20 Subsection (a) shall do so without obstructing traffic more than is
21 necessary.

22 (c) A person commits an offense if the person does not stop
23 or does not comply with the requirements of this section. An
24 offense under this section:

25 (1) involving a crash [~~an accident~~] resulting in:

26 (A) death of a person is a felony of the second
27 degree; or

1 (B) serious bodily injury, as defined by Section
2 [1.07](#), Penal Code, to a person is a felony of the third degree; and

3 (2) involving a crash [~~an accident~~] resulting in
4 injury to which Subdivision (1) does not apply is punishable by:

5 (A) imprisonment in the Texas Department of
6 Criminal Justice for not more than five years or confinement in the
7 county jail for not more than one year;

8 (B) a fine not to exceed \$5,000; or

9 (C) both the fine and the imprisonment or
10 confinement.

11 SECTION 40. The heading to Section [550.022](#), Transportation
12 Code, is amended to read as follows:

13 Sec. 550.022. CRASH [~~ACCIDENT~~] INVOLVING DAMAGE TO VEHICLE.

14 SECTION 41. Sections [550.022](#)(a) and (b), Transportation
15 Code, are amended to read as follows:

16 (a) Except as provided by Subsection (b), the operator of a
17 vehicle involved in a crash [~~an accident~~] resulting only in damage
18 to a vehicle that is driven or attended by a person shall:

19 (1) immediately stop the vehicle at the scene of the
20 crash [~~accident~~] or as close as possible to the scene of the crash
21 [~~accident~~] without obstructing traffic more than is necessary;

22 (2) immediately return to the scene of the crash
23 [~~accident~~] if the vehicle is not stopped at the scene of the crash
24 [~~accident~~]; and

25 (3) remain at the scene of the crash [~~accident~~] until
26 the operator complies with the requirements of Section [550.023](#).

27 (b) If a crash [~~an accident~~] occurs on a main lane, ramp,

1 shoulder, median, or adjacent area of a freeway in a metropolitan
2 area and each vehicle involved can be normally and safely driven,
3 each operator shall move the operator's vehicle as soon as possible
4 to a designated crash [~~accident~~] investigation site, if available,
5 a location on the frontage road, the nearest suitable cross street,
6 or other suitable location to complete the requirements of Section
7 550.023 and minimize interference with freeway traffic.

8 SECTION 42. Section 550.023, Transportation Code, is
9 amended to read as follows:

10 Sec. 550.023. DUTY TO GIVE INFORMATION AND RENDER AID. The
11 operator of a vehicle involved in a crash [~~an accident~~] resulting in
12 the injury or death of a person or damage to a vehicle that is driven
13 or attended by a person shall:

14 (1) give the operator's name and address, the
15 registration number of the vehicle the operator was driving, and
16 the name of the operator's motor vehicle liability insurer to any
17 person injured or the operator or occupant of or person attending a
18 vehicle involved in the collision;

19 (2) if requested and available, show the operator's
20 driver's license to a person described by Subdivision (1); and

21 (3) provide any person injured in the crash [~~accident~~]
22 reasonable assistance, including transporting or making
23 arrangements for transporting the person to a physician or hospital
24 for medical treatment if it is apparent that treatment is
25 necessary, or if the injured person requests the transportation.

26 SECTION 43. Section 550.025(a), Transportation Code, is
27 amended to read as follows:

1 (a) The operator of a vehicle involved in a crash [~~an~~
2 ~~accident~~] resulting only in damage to a structure adjacent to a
3 highway or a fixture or landscaping legally on or adjacent to a
4 highway shall:

5 (1) take reasonable steps to locate and notify the
6 owner or person in charge of the property of the crash [~~accident~~]
7 and of the operator's name and address and the registration number
8 of the vehicle the operator was driving; and

9 (2) if requested and available, show the operator's
10 driver's license to the owner or person in charge of the property.

11 SECTION 44. Section 550.026, Transportation Code, is
12 amended to read as follows:

13 Sec. 550.026. IMMEDIATE REPORT OF CRASH [~~ACCIDENT~~]. (a)
14 The operator of a vehicle involved in a crash [~~an accident~~]
15 resulting in injury to or death of a person or damage to a vehicle to
16 the extent that it cannot be normally and safely driven shall
17 immediately by the quickest means of communication give notice of
18 the crash [~~accident~~] to the:

19 (1) local police department if the crash [~~accident~~]
20 occurred in a municipality;

21 (2) local police department or the sheriff's office if
22 the crash [~~accident~~] occurred not more than 100 feet outside the
23 limits of a municipality; or

24 (3) sheriff's office or the nearest office of the
25 department if the crash [~~accident~~] is not required to be reported
26 under Subdivision (1) or (2).

27 (b) If a section of road is within 100 feet of the limits of

1 more than one municipality, the municipalities may agree regarding
2 the maintenance of reports made under Subsection (a)(2). A county
3 may agree with municipalities in the county regarding the
4 maintenance of reports made under Subsection (a)(2). An agreement
5 under this subsection does not affect the duty to report a crash [~~an~~
6 ~~accident~~] under Subsection (a).

7 SECTION 45. The heading to Subchapter C, Chapter 550,
8 Transportation Code, is amended to read as follows:

9 SUBCHAPTER C. INVESTIGATION OF CRASH [~~ACCIDENT~~]

10 SECTION 46. Section 550.041(a), Transportation Code, is
11 amended to read as follows:

12 (a) A peace officer who is notified of a motor vehicle crash
13 [~~accident~~] resulting in injury to or death of a person or property
14 damage to an apparent extent of at least \$1,000 may investigate the
15 crash [~~accident~~] and file justifiable charges relating to the crash
16 [~~accident~~] without regard to whether the crash [~~accident~~] occurred
17 on property to which this chapter applies.

18 SECTION 47. The heading to Subchapter D, Chapter 550,
19 Transportation Code, is amended to read as follows:

20 SUBCHAPTER D. WRITTEN CRASH [~~ACCIDENT~~] REPORT

21 SECTION 48. Section 550.062, Transportation Code, is
22 amended to read as follows:

23 Sec. 550.062. OFFICER'S CRASH [~~ACCIDENT~~] REPORT. (a) A law
24 enforcement officer who in the regular course of duty investigates
25 a motor vehicle crash [~~accident~~] shall make a written report of the
26 crash [~~accident~~] if the crash [~~accident~~] resulted in injury to or
27 the death of a person or damage to the property of any one person to

1 the apparent extent of \$1,000 or more.

2 (b) The report required by Subsection (a) must be filed
3 electronically with the department not later than the 10th day
4 after the date of the crash [~~accident~~].

5 (b-1) If the motor vehicle crash [~~accident~~] involved a
6 combination of vehicles operating under a permit issued under
7 Section 623.402, the report required by Subsection (a) must include
8 the weight and the number of axles of the vehicle combination.

9 (c) This section applies without regard to whether the
10 officer investigates the crash [~~accident~~] at the location of the
11 crash [~~accident~~] and immediately after the crash [~~accident~~] or
12 afterwards by interviewing those involved in the crash [~~accident~~]
13 or witnesses to the crash [~~accident~~].

14 SECTION 49. Section 550.063, Transportation Code, is
15 amended to read as follows:

16 Sec. 550.063. REPORT ON APPROPRIATE FORM. The form of all
17 written crash [~~accident~~] reports must be approved by the department
18 and the Department of Public Safety. A person who is required to
19 file a written crash [~~accident~~] report shall report on the
20 appropriate form and shall disclose all information required by the
21 form unless the information is not available.

22 SECTION 50. Section 550.064, Transportation Code, is
23 amended to read as follows:

24 Sec. 550.064. CRASH [~~ACCIDENT~~] REPORT FORMS. (a) The
25 department shall prepare and when requested supply to police
26 departments, coroners, sheriffs, garages, and other suitable
27 agencies or individuals the crash [~~accident~~] report forms

1 appropriate for the persons required to make a report and
2 appropriate for the purposes to be served by those reports.

3 (b) A crash [~~An accident~~] report form prepared by the
4 department must:

5 (1) require sufficiently detailed information to
6 disclose the cause and conditions of and the persons and vehicles
7 involved in a crash [~~an accident~~] if the form is for the report to be
8 made by a person investigating the crash [~~accident~~];

9 (2) include a way to designate and identify a peace
10 officer, firefighter, or emergency medical services employee who is
11 involved in a crash [~~an accident~~] while driving a law enforcement
12 vehicle, fire department vehicle, or emergency medical services
13 vehicle while performing the person's duties;

14 (3) require a statement by a person described by
15 Subdivision (2) as to the nature of the crash [~~accident~~]; and

16 (4) include a way to designate whether an individual
17 involved in a crash [~~an accident~~] wants to be contacted by a person
18 seeking to obtain employment as a professional described by Section
19 [38.01\(12\)](#), Penal Code.

20 SECTION 51. Section [550.065](#), Transportation Code, is
21 amended to read as follows:

22 Sec. 550.065. RELEASE OF CERTAIN INFORMATION RELATING TO
23 CRASHES [~~ACCIDENTS~~]. (a) This section applies only to the
24 following information that is held by the department or another
25 governmental entity:

26 (1) a written report of a crash [~~an accident~~] required
27 under:

1 (A) Section 550.062; or
2 (B) former Section 550.061 or 601.004 before
3 September 1, 2017; or

4 (2) crash [~~accident~~] report information compiled
5 under Section 201.806.

6 (b) Except as provided by Subsection (c), (c-1), or (e), the
7 information is privileged and for the confidential use of:

- 8 (1) the department; and
9 (2) an agency of the United States, this state, or a
10 local government of this state that has use for the information for
11 crash [~~accident~~] prevention purposes.

12 (c) On written request and payment of any required fee, the
13 department or the governmental entity shall release the information
14 to:

- 15 (1) an entity described by Subsection (b);
16 (2) the law enforcement agency that employs the peace
17 officer who investigated the crash [~~accident~~] and sent the
18 information to the department, including an agent of the law
19 enforcement agency authorized by contract to obtain the
20 information;

21 (3) the court in which a case involving a person
22 involved in the crash [~~accident~~] is pending if the report is
23 subpoenaed; or

24 (4) any person directly concerned in the crash
25 [~~accident~~] or having a proper interest therein, including:

- 26 (A) any person involved in the crash [~~accident~~];
27 (B) the authorized representative of any person

1 involved in the crash [~~accident~~];

2 (C) a driver involved in the crash [~~accident~~];

3 (D) an employer, parent, or legal guardian of a
4 driver involved in the crash [~~accident~~];

5 (E) the owner of a vehicle or property damaged in
6 the crash [~~accident~~];

7 (F) a person who has established financial
8 responsibility for a vehicle involved in the crash [~~accident~~] in a
9 manner described by Section 601.051, including a policyholder of a
10 motor vehicle liability insurance policy covering the vehicle;

11 (G) an insurance company that issued an insurance
12 policy covering a vehicle involved in the crash [~~accident~~];

13 (H) an insurance company that issued a policy
14 covering any person involved in the crash [~~accident~~];

15 (I) a person under contract to provide claims or
16 underwriting information to a person described by Paragraph (F),
17 (G), or (H);

18 (J) a radio or television station that holds a
19 license issued by the Federal Communications Commission;

20 (K) a newspaper that is:

21 (i) a free newspaper of general circulation
22 or qualified under Section 2051.044, Government Code, to publish
23 legal notices;

24 (ii) published at least once a week; and

25 (iii) available and of interest to the
26 general public in connection with the dissemination of news; or

27 (L) any person who may sue because of death

1 resulting from the crash [~~accident~~].

2 (c-1) On receiving information to which this section
3 applies, the department or the governmental entity that receives
4 the information shall create a redacted crash [~~accident~~] report
5 that may be requested by any person. The redacted crash [~~accident~~]
6 report may not include the items of information described by
7 Subsection (f)(2). A report released under this subsection is not
8 considered personal information under Section 730.003.

9 (d) The fee for a copy of the crash [~~accident~~] report is
10 \$6. The copy may be certified by the department or the
11 governmental entity for an additional fee of \$2. The department or
12 the governmental entity may issue a certification that no report or
13 information is on file for a fee of \$6.

14 (e) In addition to the information required to be released
15 under Subsection (c), the department may release:

16 (1) crash [~~accident~~] report information compiled
17 under Section 201.806; or

18 (2) a vehicle identification number and specific crash
19 [~~accident~~] information relating to that vehicle.

20 (f) The department when releasing information under
21 Subsection (c-1) or (e):

22 (1) may not release personal information, as defined
23 by Section 730.003; and

24 (2) shall withhold or redact the following items:

25 (A) the first, middle, and last name of any
26 person listed in a crash [~~an accident~~] report, including a vehicle
27 driver, occupant, owner, or lessee, a bicyclist, a pedestrian, or a

1 property owner;

2 (B) the number of any driver's license,
3 commercial driver's license, or personal identification
4 certificate issued to any person listed in a crash [~~an accident~~]
5 report;

6 (C) the date of birth, other than the year, of any
7 person listed in a crash [~~an accident~~] report;

8 (D) the address, other than zip code, and
9 telephone number of any person listed in a crash [~~an accident~~]
10 report;

11 (E) the license plate number of any vehicle
12 listed in a crash [~~an accident~~] report;

13 (F) the name of any insurance company listed as a
14 provider of financial responsibility for a vehicle listed in a
15 crash [~~an accident~~] report;

16 (G) the number of any insurance policy issued by
17 an insurance company listed as a provider of financial
18 responsibility;

19 (H) the date the peace officer who investigated
20 the crash [~~accident~~] was notified of the crash [~~accident~~];

21 (I) the date the investigating peace officer
22 arrived at the crash [~~accident~~] site;

23 (J) the badge number or identification number of
24 the investigating officer;

25 (K) the date on which any person who died as a
26 result of the crash [~~accident~~] died;

27 (L) the date of any commercial motor vehicle

1 report; and

2 (M) the place where any person injured or killed
3 in a crash [~~an accident~~] was taken and the person or entity that
4 provided the transportation.

5 (g) The amount that may be charged for information provided
6 under Subsection (e) shall be calculated in the manner specified by
7 Chapter 552, Government Code, for public information provided by a
8 governmental body under that chapter.

9 SECTION 52. Section 550.066, Transportation Code, is
10 amended to read as follows:

11 Sec. 550.066. ADMISSIBILITY OF CERTAIN CRASH [~~ACCIDENT~~]
12 REPORT INFORMATION. An individual's response to the information
13 requested on a crash [~~an accident~~] report form as provided by
14 Section 550.064(b)(4) is not admissible evidence in a civil trial.

15 SECTION 53. Section 550.067, Transportation Code, is
16 amended to read as follows:

17 Sec. 550.067. MUNICIPAL AUTHORITY TO REQUIRE CRASH
18 [~~ACCIDENT~~] REPORTS. (a) A municipality by ordinance may require
19 the operator of a vehicle involved in a crash [~~an accident~~] to file
20 with a designated municipal department:

21 (1) a report of the crash [~~accident~~], if the crash
22 [~~accident~~] results in injury to or the death of a person or the
23 apparent total property damage is \$25 or more; or

24 (2) a copy of a report required by this chapter to be
25 filed with the department.

26 (b) A report filed under Subsection (a) is for the
27 confidential use of the municipal department and subject to the

1 provisions of Section 550.065.

2 (c) A municipality by ordinance may require the person in
3 charge of a garage or repair shop where a motor vehicle is brought
4 if the vehicle shows evidence of having been involved in a crash [~~an~~
5 ~~accident~~] described by Section 550.062(a) or shows evidence of
6 having been struck by a bullet to report to a department of the
7 municipality within 24 hours after the garage or repair shop
8 receives the motor vehicle, giving the engine number, registration
9 number, and the name and address of the owner or operator of the
10 vehicle.

11 SECTION 54. Section 550.068, Transportation Code, is
12 amended to read as follows:

13 Sec. 550.068. CHANGING CRASH [~~ACCIDENT~~] REPORT.

14 (a) Except as provided by Subsection (b), a change in or a
15 modification of a written report of a motor vehicle crash
16 [~~accident~~] prepared by a peace officer that alters a material fact
17 in the report may be made only by the peace officer who prepared the
18 report.

19 (b) A change in or a modification of the written report of
20 the crash [~~accident~~] may be made by a person other than the peace
21 officer if:

22 (1) the change is made by a written supplement to the
23 report; and

24 (2) the written supplement clearly indicates the name
25 of the person who originated the change.

26 SECTION 55. Sections 550.081(b) and (c), Transportation
27 Code, are amended to read as follows:

1 (b) A medical examiner or justice of the peace acting as
2 coroner in a county that does not have a medical examiner's office
3 or that is not part of a medical examiner's district shall submit a
4 report in writing to the department of the death of a person that
5 was the result of a traffic crash [~~accident~~] or bridge collapse:

6 (1) to which this chapter applies; and

7 (2) that occurred within the jurisdiction of the
8 medical examiner or justice of the peace in the preceding calendar
9 quarter.

10 (c) The report must be submitted before the 11th day of each
11 calendar month and include:

12 (1) the name of the deceased and a statement as to
13 whether the deceased was:

14 (A) the operator of or a passenger in a vehicle
15 [~~involved in the accident~~]; or

16 (B) a pedestrian or other nonoccupant of a
17 vehicle;

18 (2) the date of the crash [~~accident~~] and the name of
19 the county in which the crash [~~accident~~] occurred, and, if a bridge
20 collapse, the location of the bridge in that county;

21 (3) the name of any laboratory, medical examiner's
22 office, or other facility that conducted toxicological testing
23 relative to the deceased; and

24 (4) the results of any toxicological testing that was
25 conducted.

26 SECTION 56. Section [601.002\(3\)](#), Transportation Code, is
27 amended to read as follows:

1 (3) "Financial responsibility" means the ability to
2 respond in damages for liability for a crash [~~an accident~~] that:

3 (A) occurs after the effective date of the
4 document evidencing the establishment of the financial
5 responsibility; and

6 (B) arises out of the ownership, maintenance, or
7 use of a motor vehicle.

8 SECTION 57. Section 601.003(b), Transportation Code, is
9 amended to read as follows:

10 (b) For purposes of this chapter, a judgment is considered
11 to be satisfied as to the appropriate part of the judgment set out
12 by this subsection if:

13 (1) the total amount credited on one or more judgments
14 for bodily injury to or death of one person resulting from one crash
15 [~~accident~~] equals or exceeds the amount required under Section
16 601.072(a)(1) to establish financial responsibility;

17 (2) the total amount credited on one or more judgments
18 for bodily injury to or death of two or more persons resulting from
19 one crash [~~accident~~] equals or exceeds the amount required under
20 Section 601.072(a)(2) to establish financial responsibility; or

21 (3) the total amount credited on one or more judgments
22 for damage to or destruction of property of another resulting from
23 one crash [~~accident~~] equals or exceeds the amount required under
24 Section 601.072(a)(3) to establish financial responsibility.

25 SECTION 58. Section 601.006, Transportation Code, is
26 amended to read as follows:

27 Sec. 601.006. APPLICABILITY TO CERTAIN OWNERS AND

1 OPERATORS. If an owner or operator of a motor vehicle involved in a
2 crash [~~an accident~~] in this state does not have a driver's license
3 or vehicle registration or is a nonresident, the person may not be
4 issued a driver's license or registration until the person has
5 complied with this chapter to the same extent that would be
6 necessary if, at the time of the crash [~~accident~~], the person had a
7 driver's license or registration.

8 SECTION 59. Sections 601.009(b) and (c), Transportation
9 Code, are amended to read as follows:

10 (b) Except as provided by Subsection (c), the department
11 shall suspend the resident's driver's license and vehicle
12 registrations if the evidence shows that the resident's operating
13 privilege was suspended in the other state or the province for
14 violation of a financial responsibility law under circumstances
15 that would require the department to suspend a nonresident's
16 operating privilege had the crash [~~accident~~] occurred in this
17 state.

18 (c) The department may not suspend the resident's driver's
19 license and registration if the alleged failure to comply is based
20 on the failure of the resident's insurance company or surety
21 company to:

22 (1) obtain authorization to write motor vehicle
23 liability insurance in the other state or the province; or

24 (2) execute a power of attorney directing the
25 appropriate official in the other state or the province to accept on
26 the company's behalf service of notice or process in an action under
27 the policy arising out of a crash [~~an accident~~].

1 SECTION 60. Section 601.053(a), Transportation Code, is
2 amended to read as follows:

3 (a) As a condition of operating in this state a motor
4 vehicle to which Section 601.051 applies, the operator of the
5 vehicle on request shall provide to a peace officer, as defined by
6 Article 2.12, Code of Criminal Procedure, or a person involved in a
7 crash [~~an accident~~] with the operator evidence of financial
8 responsibility by exhibiting:

9 (1) a motor vehicle liability insurance policy
10 covering the vehicle that satisfies Subchapter D or a photocopy of
11 the policy;

12 (2) a standard proof of motor vehicle liability
13 insurance form prescribed by the Texas Department of Insurance
14 under Section 601.081 and issued by a liability insurer for the
15 motor vehicle;

16 (2-a) an image displayed on a wireless communication
17 device that includes the information required by Section 601.081 as
18 provided by a liability insurer;

19 (3) an insurance binder that confirms the operator is
20 in compliance with this chapter;

21 (4) a surety bond certificate issued under Section
22 601.121;

23 (5) a certificate of a deposit with the comptroller
24 covering the vehicle issued under Section 601.122;

25 (6) a copy of a certificate of a deposit with the
26 appropriate county judge covering the vehicle issued under Section
27 601.123; or

1 (7) a certificate of self-insurance covering the
2 vehicle issued under Section 601.124 or a photocopy of the
3 certificate.

4 SECTION 61. Section 601.056(e), Transportation Code, is
5 amended to read as follows:

6 (e) The department may not act under Subsection (a)(1) or
7 (2) if:

8 (1) an action for damages on a liability covered by the
9 evidence of financial responsibility is pending;

10 (2) a judgment for damages on a liability covered by
11 the evidence of financial responsibility is not satisfied; or

12 (3) the person for whom the bond has been filed or for
13 whom money or securities have been deposited has, within the two
14 years preceding the request for cancellation or return of the
15 evidence of financial responsibility, been involved as an operator
16 or owner in a motor vehicle crash [~~accident~~] resulting in bodily
17 injury to, or property damage to the property of, another person.

18 SECTION 62. Sections 601.072(a-1) and (b), Transportation
19 Code, are amended to read as follows:

20 (a-1) Effective January 1, 2011, the minimum amounts of
21 motor vehicle liability insurance coverage required to establish
22 financial responsibility under this chapter are:

23 (1) \$30,000 for bodily injury to or death of one person
24 in one crash [~~accident~~];

25 (2) \$60,000 for bodily injury to or death of two or
26 more persons in one crash [~~accident~~], subject to the amount
27 provided by Subdivision (1) for bodily injury to or death of one of

1 the persons; and

2 (3) \$25,000 for damage to or destruction of property
3 of others in one crash [~~accident~~].

4 (b) The coverage required under this section may exclude,
5 with respect to one crash [~~accident~~]:

6 (1) the first \$250 of liability for bodily injury to or
7 death of one person;

8 (2) the first \$500 of liability for bodily injury to or
9 death of two or more persons, subject to the amount provided by
10 Subdivision (1) for bodily injury to or death of one of the persons;
11 and

12 (3) the first \$250 of liability for property damage to
13 or destruction of property of others.

14 SECTION 63. Section 601.084(c), Transportation Code, is
15 amended to read as follows:

16 (c) The department shall accept the certificate of an
17 insurer not authorized to transact business in this state if the
18 certificate otherwise complies with this chapter and the insurance
19 company:

20 (1) executes a power of attorney authorizing the
21 department to accept on its behalf service of notice or process in
22 an action arising out of a motor vehicle crash [~~accident~~] in this
23 state; and

24 (2) agrees in writing that its policies will be
25 treated as conforming to the laws of this state relating to the
26 terms of a motor vehicle liability insurance policy.

27 SECTION 64. Section 601.086, Transportation Code, is

1 amended to read as follows:

2 Sec. 601.086. RESPONSE OF INSURANCE COMPANY IF POLICY NOT
3 IN EFFECT. An insurance company that is notified by the department
4 of a crash [~~an accident~~] in connection with which an owner or
5 operator has reported a motor vehicle liability insurance policy
6 with the company shall advise the department if a policy is not in
7 effect as reported.

8 SECTION 65. Section 601.124(c), Transportation Code, is
9 amended to read as follows:

10 (c) The self-insurer must supplement the certificate with
11 an agreement that, for crashes [~~accidents~~] occurring while the
12 certificate is in force, the self-insurer will pay the same
13 judgments in the same amounts as an insurer would be obligated to
14 pay under an owner's motor vehicle liability insurance policy
15 issued to the self-insurer if such policy were issued.

16 SECTION 66. The heading to Subchapter F, Chapter 601,
17 Transportation Code, is amended to read as follows:

18 SUBCHAPTER F. SECURITY FOLLOWING CRASH [~~ACCIDENT~~]

19 SECTION 67. Section 601.151, Transportation Code, is
20 amended to read as follows:

21 Sec. 601.151. APPLICABILITY OF SUBCHAPTER. (a) This
22 subchapter applies only to a motor vehicle crash [~~accident~~] in this
23 state that results in bodily injury or death or in damage to the
24 property of one person of at least \$1,000.

25 (b) This subchapter does not apply to:

26 (1) an owner or operator who has in effect at the time
27 of the crash [~~accident~~] a motor vehicle liability insurance policy

1 that covers the motor vehicle involved in the crash [~~accident~~];

2 (2) an operator who is not the owner of the motor
3 vehicle, if a motor vehicle liability insurance policy or bond for
4 the operation of a motor vehicle the person does not own is in
5 effect at the time of the crash [~~accident~~];

6 (3) an owner or operator whose liability for damages
7 resulting from the crash [~~accident~~], in the judgment of the
8 department, is covered by another liability insurance policy or
9 bond;

10 (4) an owner or operator, if there was not bodily
11 injury to or damage of the property of a person other than the owner
12 or operator;

13 (5) the owner or operator of a motor vehicle that at
14 the time of the crash [~~accident~~] was legally parked or legally
15 stopped at a traffic signal;

16 (6) the owner of a motor vehicle that at the time of
17 the crash [~~accident~~] was being operated without the owner's express
18 or implied permission or was parked by a person who had been
19 operating the vehicle without that permission; or

20 (7) a person qualifying as a self-insurer under
21 Section 601.124 or a person operating a motor vehicle for a
22 self-insurer.

23 SECTION 68. Section 601.152(a), Transportation Code, is
24 amended to read as follows:

25 (a) Subject to Section 601.153, the department shall
26 suspend the driver's license and vehicle registrations of the owner
27 and operator of a motor vehicle if:

1 (1) the vehicle is involved in any manner in a crash
2 ~~[an accident]~~; and

3 (2) the department finds that there is a reasonable
4 probability that a judgment will be rendered against the person as a
5 result of the crash ~~[accident]~~.

6 SECTION 69. Sections 601.154(a), (c), and (d),
7 Transportation Code, are amended to read as follows:

8 (a) Subject to Subsection (d), if the department finds that
9 there is a reasonable probability that a judgment will be rendered
10 against an owner or operator as a result of a crash ~~[an accident]~~,
11 the department shall determine the amount of security sufficient to
12 satisfy any judgment for damages resulting from the crash
13 ~~[accident]~~ that may be recovered from the owner or operator.

14 (c) In determining whether there is a reasonable
15 probability that a judgment will be rendered against the person as a
16 result of a crash ~~[an accident]~~ and the amount of security that is
17 sufficient under Subsection (a), the department may consider:

- 18 (1) a report of an investigating officer; and
19 (2) an affidavit of a person who has knowledge of the
20 facts.

21 (d) The department shall make the determination required by
22 Subsection (a) only if the department has not received, before the
23 21st day after the date the department receives a report of a motor
24 vehicle crash ~~[accident]~~, satisfactory evidence that the owner or
25 operator has:

- 26 (1) been released from liability;
27 (2) been finally adjudicated not to be liable; or

1 (3) executed an acknowledged written agreement
2 providing for the payment of an agreed amount in installments for
3 all claims for injuries or damages resulting from the crash
4 [~~accident~~].

5 SECTION 70. Section 601.155(b), Transportation Code, is
6 amended to read as follows:

7 (b) The notice must state that:

8 (1) the person's driver's license and vehicle
9 registration or the person's nonresident's operating privilege will
10 be suspended unless the person, not later than the 20th day after
11 the date the notice was personally served or sent, establishes
12 that:

13 (A) this subchapter does not apply to the person,
14 and the person has previously provided this information to the
15 department; or

16 (B) there is no reasonable probability that a
17 judgment will be rendered against the person as a result of the
18 crash [~~accident~~]; and

19 (2) the person is entitled to a hearing under this
20 subchapter if a written request for a hearing is delivered or mailed
21 to the department not later than the 20th day after the date the
22 notice was personally served or sent.

23 SECTION 71. Section 601.157(b), Transportation Code, is
24 amended to read as follows:

25 (b) The judge at the hearing shall determine:

26 (1) whether there is a reasonable probability that a
27 judgment will be rendered against the person requesting the hearing

1 as a result of the crash [~~accident~~]; and

2 (2) if there is a reasonable probability that a
3 judgment will be rendered, the amount of security sufficient to
4 satisfy any judgment for damages resulting from the crash
5 [~~accident~~].

6 SECTION 72. Section 601.158(a), Transportation Code, is
7 amended to read as follows:

8 (a) If, after a hearing under this subchapter, the judge
9 determines that there is a reasonable probability that a judgment
10 will be rendered against the person requesting the hearing as a
11 result of the crash [~~accident~~], the person may appeal the
12 determination.

13 SECTION 73. Section 601.162(a), Transportation Code, is
14 amended to read as follows:

15 (a) The suspension of a driver's license, vehicle
16 registration, or nonresident's operating privilege under this
17 subchapter remains in effect, the license, registration, or
18 privilege may not be renewed, and a license or vehicle registration
19 may not be issued to the holder of the suspended license,
20 registration, or privilege, until:

21 (1) the date the person, or a person acting on the
22 person's behalf, deposits security and files evidence of financial
23 responsibility under Section 601.153;

24 (2) the second anniversary of the date of the crash
25 [~~accident~~], if evidence satisfactory to the department is filed
26 with the department that, during the two-year period, an action for
27 damages arising out of the crash [~~accident~~] has not been

1 instituted; or

2 (3) the date evidence satisfactory to the department
3 is filed with the department of:

4 (A) a release from liability for claims arising
5 out of the crash [~~accident~~];

6 (B) a final adjudication that the person is not
7 liable for claims arising out of the crash [~~accident~~]; or

8 (C) an installment agreement described by
9 Section 601.154(d)(3).

10 SECTION 74. Section 601.163(b), Transportation Code, is
11 amended to read as follows:

12 (b) A person depositing security shall specify in writing
13 the person on whose behalf the deposit is made. A single deposit of
14 security is applicable only on behalf of persons required to
15 provide security because of the same crash [~~accident~~] and the same
16 motor vehicle.

17 SECTION 75. Section 601.164(a), Transportation Code, is
18 amended to read as follows:

19 (a) The department may reduce the amount of security ordered
20 in a case within six months after the date of the crash [~~accident~~]
21 if, in the department's judgment, the amount is excessive.

22 SECTION 76. Section 601.166, Transportation Code, is
23 amended to read as follows:

24 Sec. 601.166. PAYMENT OF CASH SECURITY. (a) Cash security
25 may be applied only to the payment of:

26 (1) a judgment rendered against the person on whose
27 behalf the deposit is made for damages arising out of the crash

1 ~~[accident]~~; or

2 (2) a settlement, agreed to by the depositor, of a
3 claim arising out of the crash ~~[accident]~~.

4 (b) For payment under Subsection (a), the action under which
5 the judgment was rendered must have been instituted before the
6 second anniversary of the later of:

7 (1) the date of the crash ~~[accident]~~; or

8 (2) the date of the deposit, in the case of a deposit
9 of security under Section 601.162(b).

10 SECTION 77. Section 601.167, Transportation Code, is
11 amended to read as follows:

12 Sec. 601.167. RETURN OF CASH SECURITY. Cash security or any
13 balance of the security shall be returned to the depositor or the
14 depositor's personal representative when:

15 (1) evidence satisfactory to the department is filed
16 with the department that there has been:

17 (A) a release of liability;

18 (B) a final adjudication that the person on whose
19 behalf the deposit is made is not liable; or

20 (C) an agreement as described by Section
21 601.154(d)(3);

22 (2) reasonable evidence is provided to the department
23 after the second anniversary of the date of the crash ~~[accident]~~
24 that no action arising out of the crash ~~[accident]~~ is pending and no
25 judgment rendered in such an action is unpaid; or

26 (3) in the case of a deposit of security under Section
27 601.162(b), reasonable evidence is provided to the department after

1 the second anniversary of the date of the deposit that no action
2 arising out of the crash [~~accident~~] is pending and no unpaid
3 judgment rendered in such an action is unpaid.

4 SECTION 78. Section 601.168(b), Transportation Code, is
5 amended to read as follows:

6 (b) A bond or motor vehicle liability insurance policy
7 issued by a surety company or insurance company that is not
8 authorized to do business in this state is effective under this
9 subchapter only if:

10 (1) the bond or policy is issued for a motor vehicle
11 that:

12 (A) is not registered in this state; or

13 (B) was not registered in this state on the
14 effective date of the most recent renewal of the policy; and

15 (2) the surety company or insurance company executes a
16 power of attorney authorizing the department to accept on the
17 company's behalf service of notice or process in an action arising
18 out of the crash [~~accident~~] on the bond or policy.

19 SECTION 79. Section 601.169, Transportation Code, is
20 amended to read as follows:

21 Sec. 601.169. REASONABLE PROBABILITY NOT ADMISSIBLE IN
22 CIVIL SUIT. A determination under Section 601.154 or 601.157 that
23 there is a reasonable probability that a judgment will be rendered
24 against a person as a result of a crash [~~an accident~~] may not be
25 introduced in evidence in a suit for damages arising from that crash
26 [~~accident~~].

27 SECTION 80. Section 601.291, Transportation Code, is

1 amended to read as follows:

2 Sec. 601.291. APPLICABILITY OF SUBCHAPTER. This subchapter
3 applies only to the owner or operator of a motor vehicle that:

4 (1) is not registered in this state; and

5 (2) is involved in a motor vehicle crash [~~accident~~] in
6 this state that results in bodily injury, death, or damage to the
7 property of one person to an apparent extent of at least \$500.

8 SECTION 81. Section 601.292, Transportation Code, is
9 amended to read as follows:

10 Sec. 601.292. DUTY TO PROVIDE EVIDENCE OF FINANCIAL
11 RESPONSIBILITY TO INVESTIGATING OFFICER. A person to whom this
12 subchapter applies shall provide evidence of financial
13 responsibility to a law enforcement officer of this state or a
14 political subdivision of this state who is conducting an
15 investigation of the crash [~~accident~~].

16 SECTION 82. Sections 601.293(b), (c), and (d),
17 Transportation Code, are amended to read as follows:

18 (b) The magistrate shall conduct an inquiry on the issues of
19 negligence and liability for bodily injury, death, or property
20 damage sustained in the crash [~~accident~~].

21 (c) If the magistrate determines that there is a reasonable
22 possibility that a judgment will be rendered against the person for
23 bodily injury, death, or property damage sustained in the crash
24 [~~accident~~], the magistrate shall order the person to provide:

25 (1) evidence of financial responsibility for the
26 bodily injury, death, or property damage; or

27 (2) evidence that the person is exempt from the

1 requirement of Section 601.051.

2 (d) A determination of negligence or liability under
3 Subsection (c) does not act as collateral estoppel on an issue in a
4 criminal or civil adjudication arising from the crash [~~accident~~].

5 SECTION 83. Section 601.294, Transportation Code, is
6 amended to read as follows:

7 Sec. 601.294. IMPOUNDMENT OF MOTOR VEHICLE. If a person to
8 whom this subchapter applies does not provide evidence required
9 under Section 601.293(c), the magistrate shall enter an order
10 directing the sheriff of the county or the chief of police of the
11 municipality to impound the motor vehicle owned or operated by the
12 person that was involved in the crash [~~accident~~].

13 SECTION 84. Section 601.296(a), Transportation Code, is
14 amended to read as follows:

15 (a) The department shall issue a certificate of release of
16 an impounded motor vehicle to the owner, operator, or person
17 authorized by the owner on submission to the department of:

18 (1) evidence of financial responsibility under
19 Section 601.053 that shows that at the time of the crash [~~accident~~]
20 the vehicle was in compliance with Section 601.051 or was exempt
21 from the requirement of Section 601.051;

22 (2) a release executed by each person damaged in the
23 crash [~~accident~~] other than the operator of the vehicle for which
24 the certificate of release is requested; or

25 (3) security in a form and amount determined by the
26 department to secure the payment of damages for which the operator
27 may be liable.

1 SECTION 85. Section 601.333, Transportation Code, is
2 amended to read as follows:

3 Sec. 601.333. RELIEF FROM SUSPENSION: MOTOR VEHICLE
4 LIABILITY INSURANCE. (a) A person whose driver's license, vehicle
5 registrations, or nonresident's operating privilege has been
6 suspended or is subject to suspension under Section 601.332 may
7 file with the department:

8 (1) evidence that there was a motor vehicle liability
9 insurance policy covering the motor vehicle involved in the crash
10 [~~accident~~] out of which the judgment arose in effect at the time of
11 the crash [~~accident~~];

12 (2) an affidavit stating that the person was insured
13 at the time of the crash [~~accident~~], that the insurance company is
14 liable to pay the judgment, and the reason, if known, that the
15 insurance company has not paid the judgment;

16 (3) the original policy of insurance or a certified
17 copy of the policy, if available; and

18 (4) any other documents required by the department to
19 show that the loss, injury, or damage for which the judgment was
20 rendered was covered by the insurance.

21 (b) The department may not suspend the driver's license,
22 vehicle registrations, or nonresident's operating privilege, and
23 shall reinstate a license, registration, or privilege that has been
24 suspended, if it is satisfied from the documents filed under
25 Subsection (a) that:

26 (1) there was a motor vehicle liability insurance
27 policy in effect for the vehicle at the time of the crash

1 ~~[accident]~~;

2 (2) the insurance company that issued the policy was
3 authorized to issue the policy in this state at the time the policy
4 was issued; and

5 (3) the insurance company is liable to pay the
6 judgment to the extent and for the amounts required by this chapter.

7 SECTION 86. Section 622.954(a), Transportation Code, is
8 amended to read as follows:

9 (a) A permit is not required to exceed the weight
10 limitations of Section 621.101 by a combination of a tow truck and
11 another vehicle or vehicle combination if:

12 (1) the nature of the service provided by the tow truck
13 is needed to remove disabled, abandoned, or crash-damaged
14 ~~[accident-damaged]~~ vehicles; and

15 (2) the tow truck is towing the other vehicle or
16 vehicle combination directly to the nearest authorized place of
17 repair, terminal, or vehicle storage facility.

18 SECTION 87. Section 623.0172(1), Transportation Code, is
19 amended to read as follows:

20 (1) Beginning in 2022, not later than September 1 of each
21 even-numbered year, the Texas Department of Transportation shall
22 conduct a study concerning vehicles operating under a permit issued
23 under this section and publish the results of the study. In
24 conducting the study, the Texas Department of Transportation shall
25 collect and examine the following information:

26 (1) the weight and configuration of vehicles operating
27 under a permit under this section that are involved in a motor

1 vehicle crash [~~accident~~];

2 (2) the types of vehicles operating under a permit
3 issued under this section;

4 (3) traffic volumes and variations of vehicles
5 operating under a permit issued under this section;

6 (4) weigh-in-motion data for highways located in and
7 around the area described by Subsection (c);

8 (5) impacts to state and local bridges, including
9 long-term bridge performance, for bridges located in and around the
10 area described by Subsection (c); and

11 (6) impacts to state and local roads, including
12 changes in pavement design standards, construction specification
13 details, maintenance frequency and types, and properties of
14 pavement and underlying soils resulting from or necessitated by
15 vehicles operating under a permit issued under this section.

16 SECTION 88. Section 623.410, Transportation Code, is
17 amended to read as follows:

18 Sec. 623.410. STUDY. Beginning in 2022, not later than
19 September 1 of each even-numbered year, the Texas Department of
20 Transportation shall conduct a study concerning vehicles operating
21 under a permit issued under this subchapter and publish the results
22 of the study. In conducting the study, the Texas Department of
23 Transportation shall collect and examine the following
24 information:

25 (1) the weight and configuration of vehicles operating
26 under a permit issued under this subchapter that are involved in a
27 motor vehicle crash [~~accident~~];

1 (2) the types of vehicles operating under a permit
2 issued under this subchapter;

3 (3) traffic volumes and variations of vehicles
4 operating under a permit issued under this subchapter;

5 (4) weigh-in-motion data for highways and roads
6 located in and around the area described by Section 623.405(b);

7 (5) impacts to state and local bridges, including
8 long-term bridge performance, for bridges located in and around the
9 area described by Section 623.405(b); and

10 (6) impacts to state and local roads, including
11 changes in pavement design standards, construction specification
12 details, maintenance frequency and types, and properties of
13 pavement and underlying soils resulting from or necessitated by
14 vehicles operating under a permit issued under this subchapter.

15 SECTION 89. Section 643.105, Transportation Code, is
16 amended to read as follows:

17 Sec. 643.105. INSOLVENCY OF INSURER. If an insurer for a
18 motor carrier becomes insolvent, is placed in receivership, or has
19 its certificate of authority suspended or revoked and if the
20 carrier no longer has insurance coverage as required by this
21 subchapter, the carrier shall file with the department, not later
22 than the 10th day after the date the coverage lapses:

23 (1) evidence of insurance as required by Section
24 643.103; and

25 (2) an affidavit that:

26 (A) indicates that a crash [~~an accident~~] from
27 which the carrier may incur liability did not occur while the

1 coverage was not in effect; or

2 (B) contains a plan acceptable to the department
3 indicating how the carrier will satisfy claims of liability against
4 the carrier for a crash [~~an accident~~] that occurred while the
5 coverage was not in effect.

6 SECTION 90. Section 644.151(b-1), Transportation Code, is
7 amended to read as follows:

8 (b-1) An offense under Subsection (a)(3) is a Class A
9 misdemeanor, except that the offense is:

10 (1) a state jail felony if it is shown on the trial of
11 the offense that at the time of the offense the commercial motor
12 vehicle was involved in a motor vehicle crash [~~accident~~] that
13 resulted in bodily injury; or

14 (2) a felony of the second degree if it is shown on the
15 trial of the offense that at the time of the offense the commercial
16 motor vehicle was involved in a motor vehicle crash [~~accident~~] that
17 resulted in the death of a person.

18 SECTION 91. Sections 661.003(c) and (i), Transportation
19 Code, are amended to read as follows:

20 (c) It is an exception to the application of Subsection (a)
21 or (b) that at the time the offense was committed, the person
22 required to wear protective headgear was at least 21 years old and
23 had successfully completed a motorcycle operator training and
24 safety course under Chapter 662 or was covered by a health insurance
25 plan providing the person with medical benefits for injuries
26 incurred as a result of a crash [~~an accident~~] while operating or
27 riding on a motorcycle. A peace officer may not arrest a person or

1 issue a citation to a person for a violation of Subsection (a) or
2 (b) if the person required to wear protective headgear is at least
3 21 years of age and presents evidence sufficient to show that the
4 person required to wear protective headgear has successfully
5 completed a motorcycle operator training and safety course or is
6 covered by a health insurance plan as described by this subsection.

7 (i) In this section, "health insurance plan" means an
8 individual, group, blanket, or franchise insurance policy,
9 insurance agreement, evidence of coverage, group hospital services
10 contract, health maintenance organization membership, or employee
11 benefit plan that provides benefits for health care services or for
12 medical or surgical expenses incurred as a result of a crash [~~an~~
13 ~~accident~~].

14 SECTION 92. Section 686.001(1), Transportation Code, is
15 amended to read as follows:

16 (1) "Financial responsibility" means the ability to
17 respond in damages for liability for a crash [~~an accident~~] that:

18 (A) occurs after the effective date of the
19 document evidencing the establishment of the financial
20 responsibility; and

21 (B) arises out of the operation of a motor
22 vehicle by an employee of a valet parking service.

23 SECTION 93. Section 686.004(a), Transportation Code, is
24 amended to read as follows:

25 (a) The minimum amounts of motor vehicle liability
26 insurance coverage required to establish financial responsibility
27 under this chapter are:

1 (1) \$100,000 for bodily injury to or death of one
2 person in one crash [~~accident~~];

3 (2) \$300,000 for bodily injury to or death of two or
4 more persons in one crash [~~accident~~], subject to the amount
5 provided by Subdivision (1) for bodily injury to or death of one of
6 the persons; and

7 (3) \$50,000 for damage to or destruction of property
8 of others in one crash [~~accident~~].

9 SECTION 94. Section **686.005**, Transportation Code, is
10 amended to read as follows:

11 Sec. 686.005. COMMON LAW DEFENSES. In an action against an
12 owner or operator of a valet parking service that has not
13 established financial responsibility as required by this chapter to
14 recover damages for personal injuries, death, or property damage
15 sustained in a motor vehicle crash [~~accident~~] arising out of the
16 operation of a valet parking service, it is not a defense that the
17 party who brings the action:

18 (1) was guilty of contributory negligence; or

19 (2) assumed the risk of injury, death, or property
20 damage.

21 SECTION 95. Section **707.003**(d), Transportation Code, is
22 amended to read as follows:

23 (d) An intersection approach must be selected for the
24 installation of a photographic traffic signal enforcement system
25 based on traffic volume, the history of crashes [~~accidents~~] at the
26 approach, the number or frequency of red light violations at the
27 intersection, and similar traffic engineering and safety criteria,

1 without regard to the ethnic or socioeconomic characteristics of
2 the area in which the approach is located.

3 SECTION 96. The heading to Section 707.004, Transportation
4 Code, is amended to read as follows:

5 Sec. 707.004. REPORT OF CRASHES [~~ACCIDENTS~~].

6 SECTION 97. Sections 707.004(b) and (d), Transportation
7 Code, are amended to read as follows:

8 (b) Before installing a photographic traffic signal
9 enforcement system at an intersection approach, the local authority
10 shall compile a written report of the number and type of traffic
11 crashes [~~accidents~~] that have occurred at the intersection for a
12 period of at least 18 months before the date of the report.

13 (d) After installing a photographic traffic signal
14 enforcement system at an intersection approach, the local authority
15 shall monitor and annually report to the department the number and
16 type of traffic crashes [~~accidents~~] at the intersection to
17 determine whether the system results in a reduction in crashes
18 [~~accidents~~] or a reduction in the severity of crashes [~~accidents~~].

19 SECTION 98. Section 708.052(b), Transportation Code, is
20 amended to read as follows:

21 (b) For each conviction arising out of a separate
22 transaction, the department shall assign points to a person's
23 license as follows:

24 (1) two points for a moving violation of the traffic
25 law of this state or another state that is not described by
26 Subdivision (2); and

27 (2) three points for a moving violation of the traffic

1 law of this state, another state, or a political subdivision of this
2 or another state that resulted in a crash [~~an accident~~].

3 SECTION 99. Section 723.011(a), Transportation Code, is
4 amended to read as follows:

5 (a) The governor shall:

6 (1) prepare and administer a statewide traffic safety
7 program designed to reduce traffic crashes [~~accidents~~] and the
8 death, injury, and property damage that result from traffic crashes
9 [~~accidents~~];

10 (2) adopt rules for the administration of this
11 chapter, including rules, procedures, and policy statements
12 governing grants-in-aid and contractual relations;

13 (3) receive on the state's behalf for the
14 implementation of this chapter money made available by the United
15 States under federal law; and

16 (4) allocate money appropriated by the legislature in
17 the General Appropriations Act to implement this chapter.

18 SECTION 100. Section 723.012, Transportation Code, is
19 amended to read as follows:

20 Sec. 723.012. TRAFFIC SAFETY PROGRAM. The statewide
21 traffic safety program must include:

22 (1) a driver education and training program
23 administered by the governor through appropriate agencies that
24 complies with Section 723.013;

25 (2) plans for improving:

26 (A) driver licensing;

27 (B) crash [~~accident~~] records;

- 1 (C) vehicle inspection, registration, and
- 2 titling;
- 3 (D) traffic engineering;
- 4 (E) personnel;
- 5 (F) police traffic supervision;
- 6 (G) traffic courts;
- 7 (H) highway design; and
- 8 (I) uniform traffic laws; and

9 (3) plans for local traffic safety programs by legal
10 and political subdivisions of this state that may be implemented if
11 the programs:

- 12 (A) are approved by the governor; and
- 13 (B) conform with uniform standards adopted under
- 14 the Highway Safety Act of 1966 (23 U.S.C. Sec. 401 et seq.).

15 SECTION 101. Section [723.013\(a\)](#), Transportation Code, is
16 amended to read as follows:

17 (a) The statewide driver education and training program
18 required by Section [723.012](#) shall provide for:

19 (1) rules that permit controlled innovation and
20 experimentation and that set minimum standards for:

- 21 (A) classroom instruction;
- 22 (B) driving skills training;
- 23 (C) instructor qualifications;
- 24 (D) program content; and
- 25 (E) supplementary materials and equipment;

26 (2) a method for continuing evaluation of approved
27 driver education and training programs to identify the practices

1 most effective in preventing traffic crashes [~~accidents~~]; and

2 (3) contracts between the governing bodies of
3 centrally located independent school districts or other
4 appropriate public or private agencies and the state to provide
5 approved driver education and training programs.

6 SECTION 102. Section 724.012(b), Transportation Code, is
7 amended to read as follows:

8 (b) A peace officer shall require the taking of a specimen
9 of the person's breath or blood under any of the following
10 circumstances if the officer arrests the person for an offense
11 under Chapter 49, Penal Code, involving the operation of a motor
12 vehicle or a watercraft and the person refuses the officer's
13 request to submit to the taking of a specimen voluntarily:

14 (1) the person was the operator of a motor vehicle or a
15 watercraft involved in a crash [~~an accident~~] that the officer
16 reasonably believes occurred as a result of the offense and, at the
17 time of the arrest, the officer reasonably believes that as a direct
18 result of the crash [~~accident~~]:

19 (A) any individual has died or will die;

20 (B) an individual other than the person has
21 suffered serious bodily injury; or

22 (C) an individual other than the person has
23 suffered bodily injury and been transported to a hospital or other
24 medical facility for medical treatment;

25 (2) the offense for which the officer arrests the
26 person is an offense under Section 49.045, Penal Code; or

27 (3) at the time of the arrest, the officer possesses or

1 receives reliable information from a credible source that the
2 person:

3 (A) has been previously convicted of or placed on
4 community supervision for an offense under Section 49.045, 49.07,
5 or 49.08, Penal Code, or an offense under the laws of another state
6 containing elements substantially similar to the elements of an
7 offense under those sections; or

8 (B) on two or more occasions, has been previously
9 convicted of or placed on community supervision for an offense
10 under Section 49.04, 49.05, 49.06, or 49.065, Penal Code, or an
11 offense under the laws of another state containing elements
12 substantially similar to the elements of an offense under those
13 sections.

14 SECTION 103. Section 726.002, Transportation Code, is
15 amended to read as follows:

16 Sec. 726.002. TESTING AND INSPECTION OF MOTOR VEHICLES. A
17 municipality may adopt an ordinance:

18 (1) requiring each resident of the municipality,
19 including a corporation having its principal office or place of
20 business in the municipality, who owns a motor vehicle used for the
21 transportation of persons or property and each person operating a
22 motor vehicle on the public thoroughfares of the municipality to
23 have each motor vehicle owned or operated, as appropriate, tested
24 and inspected not more than four times in each calendar year;

25 (2) requiring each motor vehicle involved in a crash
26 [~~an accident~~] to be tested and inspected before it may be operated
27 on the public thoroughfares of the municipality; or

1 (3) requiring that a motor vehicle operated on the
2 public thoroughfares of the municipality be tested, inspected, and
3 approved by the testing and inspecting authority.

4 SECTION 104. Sections 730.003(4) and (6), Transportation
5 Code, are amended to read as follows:

6 (4) "Motor vehicle record" means a record that
7 pertains to a motor vehicle operator's or driver's license or
8 permit, motor vehicle registration, motor vehicle title, or
9 identification document issued by an agency of this state or a local
10 agency authorized to issue an identification document. The term
11 does not include:

- 12 (A) a record that pertains to a motor carrier; or
13 (B) a crash [~~an accident~~] report prepared under:
14 (i) Chapter 550; or
15 (ii) former Section 601.004 before
16 September 1, 2017.

17 (6) "Personal information" means information that
18 identifies a person, including an individual's photograph or
19 computerized image, social security number, driver identification
20 number, name, address, but not the zip code, telephone number, and
21 medical or disability information. The term does not include:

- 22 (A) information on vehicle crashes [~~accidents~~],
23 driving or equipment-related violations, or driver's license or
24 registration status; or

- 25 (B) information contained in a crash [~~an~~
26 ~~accident~~] report prepared under:

- 27 (i) Chapter 550; or

1 (ii) former Section 601.004 before
2 September 1, 2017.

3 SECTION 105. Section 30.006(e), Civil Practice and Remedies
4 Code, is amended to read as follows:

5 (e) This section does not apply to:

6 (1) a report of a crash [~~an accident~~] under Chapter
7 550, Transportation Code; and

8 (2) photographs, field measurements, scene drawings,
9 and accident reconstruction done in conjunction with the
10 investigation of the underlying crash [~~accident~~].

11 SECTION 106. Article 12.01, Code of Criminal Procedure, is
12 amended to read as follows:

13 Art. 12.01. FELONIES. Except as provided in Article 12.03,
14 felony indictments may be presented within these limits, and not
15 afterward:

16 (1) no limitation:

17 (A) murder and manslaughter;

18 (B) sexual assault under Section 22.011(a)(2),
19 Penal Code, or aggravated sexual assault under Section
20 22.021(a)(1)(B), Penal Code;

21 (C) sexual assault, if:

22 (i) during the investigation of the offense
23 biological matter is collected and subjected to forensic DNA
24 testing and the testing results show that the matter does not match
25 the victim or any other person whose identity is readily
26 ascertained; or

27 (ii) probable cause exists to believe that

1 the defendant has committed the same or a similar sexual offense
2 against five or more victims;

3 (D) continuous sexual abuse of young child or
4 children under Section 21.02, Penal Code;

5 (E) indecency with a child under Section 21.11,
6 Penal Code;

7 (F) an offense involving leaving the scene of a
8 crash [~~an accident~~] under Section 550.021, Transportation Code, if
9 the crash [~~accident~~] resulted in the death of a person;

10 (G) trafficking of persons under Section
11 20A.02(a)(7) or (8), Penal Code;

12 (H) continuous trafficking of persons under
13 Section 20A.03, Penal Code; or

14 (I) compelling prostitution under Section
15 43.05(a)(2), Penal Code;

16 (2) ten years from the date of the commission of the
17 offense:

18 (A) theft of any estate, real, personal or mixed,
19 by an executor, administrator, guardian or trustee, with intent to
20 defraud any creditor, heir, legatee, ward, distributee,
21 beneficiary or settlor of a trust interested in such estate;

22 (B) theft by a public servant of government
23 property over which he exercises control in his official capacity;

24 (C) forgery or the uttering, using or passing of
25 forged instruments;

26 (D) injury to an elderly or disabled individual
27 punishable as a felony of the first degree under Section 22.04,

1 Penal Code;

2 (E) sexual assault, except as provided by

3 Subdivision (1);

4 (F) arson;

5 (G) trafficking of persons under Section

6 20A.02(a)(1), (2), (3), or (4), Penal Code; or

7 (H) compelling prostitution under Section

8 43.05(a)(1), Penal Code;

9 (3) seven years from the date of the commission of the

10 offense:

11 (A) misapplication of fiduciary property or

12 property of a financial institution;

13 (B) securing execution of document by deception;

14 (C) a felony violation under Chapter 162, Tax

15 Code;

16 (D) false statement to obtain property or credit

17 under Section 32.32, Penal Code;

18 (E) money laundering;

19 (F) credit card or debit card abuse under Section

20 32.31, Penal Code;

21 (G) fraudulent use or possession of identifying

22 information under Section 32.51, Penal Code;

23 (H) exploitation of a child, elderly individual,

24 or disabled individual under Section 32.53, Penal Code;

25 (I) Medicaid fraud under Section 35A.02, Penal

26 Code; or

27 (J) bigamy under Section 25.01, Penal Code,

1 except as provided by Subdivision (6);

2 (4) five years from the date of the commission of the
3 offense:

4 (A) theft or robbery;

5 (B) except as provided by Subdivision (5),
6 kidnapping or burglary;

7 (C) injury to an elderly or disabled individual
8 that is not punishable as a felony of the first degree under Section
9 [22.04](#), Penal Code;

10 (D) abandoning or endangering a child; or

11 (E) insurance fraud;

12 (5) if the investigation of the offense shows that the
13 victim is younger than 17 years of age at the time the offense is
14 committed, 20 years from the 18th birthday of the victim of one of
15 the following offenses:

16 (A) sexual performance by a child under Section
17 [43.25](#), Penal Code;

18 (B) aggravated kidnapping under Section
19 [20.04\(a\)\(4\)](#), Penal Code, if the defendant committed the offense
20 with the intent to violate or abuse the victim sexually; or

21 (C) burglary under Section [30.02](#), Penal Code, if
22 the offense is punishable under Subsection (d) of that section and
23 the defendant committed the offense with the intent to commit an
24 offense described by Subdivision (1)(B) or (D) of this article or
25 Paragraph (B) of this subdivision;

26 (6) ten years from the 18th birthday of the victim of
27 the offense:

1 (A) trafficking of persons under Section
2 20A.02(a)(5) or (6), Penal Code;

3 (B) injury to a child under Section 22.04, Penal
4 Code; or

5 (C) bigamy under Section 25.01, Penal Code, if
6 the investigation of the offense shows that the person, other than
7 the legal spouse of the defendant, whom the defendant marries or
8 purports to marry or with whom the defendant lives under the
9 appearance of being married is younger than 18 years of age at the
10 time the offense is committed; or

11 (7) three years from the date of the commission of the
12 offense: all other felonies.

13 SECTION 107. Article 59.01(3), Code of Criminal Procedure,
14 is amended to read as follows:

15 (3) "Crime of violence" means:

16 (A) any criminal offense defined in the Penal
17 Code or in a federal criminal law that results in a personal injury
18 to a victim; or

19 (B) an act that is not an offense under the Penal
20 Code involving the operation of a motor vehicle, aircraft, or water
21 vehicle that results in injury or death sustained in a crash [~~an~~
22 ~~accident~~] caused by a driver in violation of Section 550.021,
23 Transportation Code.

24 SECTION 108. The heading to Section 38.18, Penal Code, is
25 amended to read as follows:

26 Sec. 38.18. USE OF CRASH [~~ACCIDENT~~] REPORT INFORMATION AND
27 OTHER INFORMATION FOR PECUNIARY GAIN.

1 SECTION 109. This Act takes effect September 1, 2019.